

SENATE BILL REPORT

SHB 2481

As of March 3, 2014

Title: An act relating to food and yard waste collection space for qualifying new residential occupancies with more than two dwelling units.

Brief Description: Concerning food and yard waste collection space for qualifying new residential occupancies with more than two dwelling units.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Senn, Bergquist, Farrell, Riccelli, Fitzgibbon, Appleton, Walkinshaw, Sawyer, Fey, Gregerson and Pollet).

Brief History: Passed House: 2/17/14, 57-40.

Committee Activity: Governmental Operations: 2/27/14.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Karen Epps (786-7424)

Background: The State Building Code Council (Council) was established in 1974 to provide analysis and advice to the Legislature and the Office of the Governor on state building code issues. The Council establishes the minimum building, mechanical, fire, plumbing, and energy code requirements in Washington by reviewing, developing, and adopting the state building code (Code).

The Code sets forth requirements through the provision of building codes to promote the health, safety, and welfare of the occupants or users of buildings and structures throughout the state. The Code, for purposes of determining whether specific rules or standards apply to a building, classifies certain residential occupancies as Residential Group R-2. This classification includes residencies that contain sleeping units or more than two dwelling units and the occupants are primarily permanent in nature, including the following:

- apartment houses;
- assisted living facilities;
- boarding houses with more than 16 occupants;
- congregate living facilities with more than 16 occupants;
- convents or monasteries;
- dormitories;
- fraternities and sororities;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- nontransient motels or hotels;
- live/work units;
- residential treatment facilities; and
- vacation timeshare properties.

Summary of Bill: During the 2015 Code adoption period, the Council must adopt rules, with an effective date of July 1, 2016, that require space be provided at certain new buildings classified as Residential Group R-2 for the collection and periodic transfer off-site of food and yard waste.

These new buildings classified as Residential Group R-2 that are required to provide food and yard waste collection areas include the following:

- apartment houses;
- assisted living facilities;
- boarding houses;
- congregate living facilities;
- dormitories; and
- fraternities and sororities.

The food and yard waste collection areas must be designed to facilitate pick up and meet the needs of the occupancy and, as appropriate, must be available to occupants and haulers.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill came from cities that are dealing with the need to have food and yard waste collection areas in multi-family housing. Currently cities have to enter into a development agreement with a building before they can require the building have an area for food and yard waste. This is a very simple bill requiring that there would have to be an area for food and yard waste collection. The bill does not require that collection occur at the building. This bill will benefit both residents and building owners. Lack of adequate space for collection bins can be a barrier to collecting compostable food and yard waste at multi-family residences. This bill helps remove that barrier in new buildings. The bill does not require compost collection be provided, but it would ensure that if someone wants that option, there would be space available. This is a good bill because it moves in the direction of providing access to these services for all residents, not just single family residents. Separate organics collection can save money for the building owner. Food and yard waste collection can be a financial win for buildings with an institutional kitchen. One community in Seattle is saving \$1,200 per month. This bill is designed to go through the Code update process.

CON: The fundamental opposition to this bill is around process because there is a strong preference to address issues related to changes to the Code through the Council process

rather than coming to the Legislature. By coming to the Legislature, it starts to create an inconsistent fabric of regulations on changes that affect the building industry. An individual can petition the Council, come before the Council, and argue for changes to the Code. The Council creates one place to have a regular and timely conversation about how to change the Code.

Persons Testifying: PRO: Representative Senn, prime sponsor; Suellen Mele, Zero Waste WA.

CON: Bill Stauffacher, Building Industry Assn. of WA.